

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
RICHMOND DIVISION**

In re:	:	Chapter 11
	:	
CIRCUIT CITY STORES, INC., <u>et al.</u> , ¹	:	Case No. 08-35653-KRH
	:	
Debtors.	:	(Jointly Administered)
	:	
	:	

**NOTICE OF INTENT TO DESTROY OBSOLETE MISCELLANEOUS LEGAL
FILES, CORPORATE RECORDS, TAX RETURNS, HARD DRIVES, ABANDONED
POLICIES, PERSONNEL FILES, PENSIONS/401K DOCUMENTATION,
ADVERTISING DOCUMENTATION, REAL ESTATE DOCUMENTS, SUPPLIES,
MANUALS, AND PAYABLES/RECEIVABLE DOCUMENTATION**

**DEADLINE TO OBJECT/RESPOND TO NOTICE: APRIL 19, 2011 at 5:00 PM
(Eastern Time)**

THIS NOTICE IS BEING PROVIDED TO YOU PURSUANT TO AN ORDER APPROVING PROCEDURES AUTHORIZING DESTRUCTION OF OBSOLETE BUSINESS RECORDS PURSUANT TO 11 U.S.C. §§554 AND BANKRUPTCY RULE 6007, SIGNED BY THE COURT ON APRIL 29, 2009 ("COURT ORDER"). YOU MUST ADHERE TO THE TERMS OF THIS NOTICE AND THE COURT ORDER IN ORDER TO PROTECT YOUR RIGHTS. IF YOU OPPOSE THIS NOTICE OF INTENT TO DESTROY THE OBSOLETE BUSINESS RECORDS (DESCRIBED BELOW), YOU MUST FOLLOW THE PROCEDURES DESCRIBED. PLEASE READ THE FOLLOWING PROCEDURES CAREFULLY.

¹ The Debtors in these chapter 11 cases, along with the last four digits of their respective federal tax identifications numbers, are as follows: Circuit City Stores, Inc. (3875), Circuit City Stores West Coast, Inc. (0785), InterTAN, Inc. (0875), Ventoux International, Inc. (1838), Circuit City Purchasing Company, LLC (5170), CC Aviation, LLC (0841), CC Distribution Company of Virginia, Inc. (2821), Circuit City Properties, LLC (3353), Kinzer Technology, LLC (2157), Abbott Advertising Agency, Inc. (4659), Patapsco Designs, Inc. (6796), Sky Venture Corp. (0311), Prahs, Inc. (n/a), XSSstuff, LLC (9263), Mayland MN, LLC (6116), Courchevel, LLC (n/a), Orbyx Electronics, LLC (3360), and Circuit City Stores PR, LLC (5512).

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Counsel for Circuit City Stores, Inc. Liquidating Trust

The Trustee of the Circuit City Stores, Inc. Liquidating Trust (the “Liquidating Trust”) shall authorize the destruction of the obsolete business records described below pursuant to the procedures approved by the Court Order. Please note that the objection and other procedures set forth herein have previously been approved by the Court pursuant to the Court Order, and therefore, any objections that you may have as to these procedures shall not be considered and shall not be deemed an objection to the proposed destruction of obsolete business records.

1. Property Addresses:	Recall, 1790 Ruffin Mill Road, Building D, Colonial Heights, VA 23834 Entrust, 1600 Rhoadmiller Street, Richmond, VA 23220 Datastor, 4201 Eubank Road, Richmond, VA 23231
2. Obsolete Business Records on Premises to Be Destroyed by Debtors:	Miscellaneous closed legal files, corporate records, tax returns, hard drives, abandoned policies, personnel files, pensions/401K documentation, advertising documentation, real estate documents, supplies, manuals, and payables/receivable documentation located in boxes at the facilities listed in item 1 above. <u>None of the records to be destroyed have any application to any claims objection, adversary proceeding, tax dispute or any other open and pending matter involving the Liquidating Trust.</u>
3. General Description of Preceding Item 2:	<p><u>Miscellaneous Closed Legal Files:</u> Part 1: These files were sent to storage prior to January 1, 2001, are marked as closed, and relate to: small claims and litigation/arbitration matters, invoices and payments related to legal services, employment contracts, settlements, and commission reports.</p> <p>Part 2: These documents were sent to storage from 2001 through 2009 that are marked as “closed”, “dead”, or “expired”. The documents include human resources legal files, employment group legal files, copies of leases, and various records relating to invoices and payments for legal services.</p> <p><u>Corporate Records:</u> Records related to feasibility studies, consumer affairs, Y2K documentation, petty cash reports, sweepstakes, and various internal reports, all of which were concluded prior to 2001.</p> <p><u>Tax Returns:</u> Documentation relating to tax years prior to 2001, including: sales tax returns, tax exempt tickets, tax calculations, and state and federal tax returns.</p> <p><u>Hard Drives:</u> Backup drives related to CCTV recordings,</p>

	<p>old server tapes, and Y2K email, all of which were prepared prior to 2001.</p> <p><u>Abandoned Policies:</u> Documents referencing corporate policies from the 1980's and 1990's.</p> <p><u>Pension/401(K):</u> Documents relating to pension/401(K) reports, benefits trust statements, check registers, deferred compensation 401(K) supplements, and benefits forms relating to many years through 2009.</p> <p><u>Advertising:</u> Company advertising materials</p> <p><u>Real Estate Documents:</u> Documents referencing real estate transactions, including leases, contracts, construction plans/documents, remodel/partial remodel files, project files, site development files, design files, construction audit files, and construction drawings, all of which were prepared prior to 2006.</p> <p><u>Supplies:</u> Documents relating to company supplies including: blank inventory count books, letterhead, envelopes, and various handbooks.</p> <p><u>Manuals:</u> Various manual information for fixtures, inventory and equipment owner's manuals, and warranty information.</p> <p><u>Payables/Receivables:</u> Documents relating to payables and receivables prior to 2001 that include billing files, invoices, and check registers.</p>
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Objection Procedures:

- If you object to the destruction of obsolete business records as described above, you **MUST** serve on counsel for the Liquidating Trustee and the other parties listed below (the "Notice Parties") and file with the Clerk of the Bankruptcy Court, 701 E. Broad Street, Suite 4000, Richmond, VA 23219, a written objection to this Notice. Pursuant to Bankruptcy Rule 6007(a), all objections must be filed with the Bankruptcy Court and be received by the Notice Parties by **April 19, 2011, at 5:00 p.m. (Eastern Time)** ("Objection Deadline").
- If an objection is not timely and properly filed and served in accordance with the preceding paragraph, the destruction of obsolete business records shall be effective without further notice, hearing, or order of the Bankruptcy Court. If an objection is timely and properly served and filed, the Court will schedule a hearing to consider this Notice and the objection.

Notice Parties:

- (i) The United States Trustee, 701 E. Broad Street, Suite 4304, Richmond, VA 23219-1888, Attn. Robert B. Van Arsdale;
- (ii) counsel for the Liquidating Trustee, Pachulski, Stang, Ziehl & Jones, LLP, 10100 Santa Monica Boulevard, Suite 1100, Los Angeles, CA 90067, Attn. Andrew W. Caine; Tavenner & Beran PLC, 20 North 8th Street, Richmond, VA 23219, Attn. Paula S. Beran, Lynn L. Tavenner;
- (iii) the Core Group, as defined in the Order Pursuant to Bankruptcy Code Sections 102 and 105, Bankruptcy Rule 2002 and 9007, and Local Bankruptcy Rules 2002-1 and 9013-1 Establishing Certain Notice, Case Management and Administrative Procedures (the "Case Management Order");
- (iv) the 2002 List, as defined in the Case Management Order;
- (v) the Consumer Privacy Ombudsman appointed to the Debtors' bankruptcy case, Lucy L. Thomson, 915 North Quaker Lane, Alexandria, VA 22302; and
- (vi) the attorneys for Old Republic Insurance, Fox, Hefter, Swibel, Levin & Carroll, LLP, 200 W. Madison Street, Suite 3000, Chicago, IL 60606, Attn: Margaret M. Anderson.

Dated: April 4, 2011

TAVENNER & BERAN, P.L.C.

/s/ Paula S. Beran

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